

Approved: \_\_\_\_\_

JIM EIGTENBERG

Assistant United States Attorney

Before: THE HONORABLE LISA MARGARET SMITH  
United States Magistrate Judge  
Southern District of New York

19 mag 2219

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UNITED STATES OF AMERICA

: **SEALED COMPLAINT**

- v. -

: Violations of  
18 U.S.C. § 922(g)(1)

JUSTIN PATTERSON,

: and 2

Defendant.

: COUNTY OF OFFENSE:  
WESTCHESTER

- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOSEPH MCGANN, being duly sworn, deposes and says that he is a Task Force Officer with the Federal Bureau of Investigation ("FBI"), and charges as follows:

**COUNT ONE**  
**(Felon in Possession)**

1. On or about January 30, 2019, in the Southern District of New York, JUSTIN PATTERSON, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a black Makarov pistol with serial number BE272863, which had previously been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Task Force Officer with the FBI. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with other law enforcement agents, and my examination of reports, records, and witness statements. Because this affidavit is being submitted

for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

2. Based on my involvement in this investigation, my conversations with other law enforcement agents, and my examination of reports, records, and witness statements, I have learned, among other things, the following:

a. On or about January 30, 2019, four individuals ("Individual-1," "Individual-2," "Individual-3," and "Individual-4") were riding in a motor vehicle in Cortlandt, New York, when they noticed a dark-colored, two-door Chevrolet Camaro turn around and start following them. Individual-1, who was driving the vehicle, drove to the parking lot of a supermarket and stopped the car. The Camaro then pulled up behind the car, and JUSTIN PATTERSON, the defendant, and another individual ("Individual-5") exited the Camaro.

b. According to witness statements, PATTERSON, who was wearing red sweatpants, approached Individual-1's car, banged on the window, asked to speak with Individual-2, and yelled "get the fuck out." Individual-3 reported seeing PATTERSON take a black handgun out of his left pants pocket and then put it back in. Individual-1 reported seeing the black grip of a handgun sticking out of PATTERSON's right pants pocket. Individual-4 reported seeing a black handle sticking out of PATTERSON's right pants pocket and noticing that PATTERSON was holding the handle in the same way that someone would hold a handgun. After speaking with Individual-1, PATTERSON returned to the Camaro and, along with Individual-5, drove away.


c. According to police reports, Individual-4 then called the police and described the suspect as a black male wearing red sweatpants in a dark-colored Camaro. Shortly after the call, based on Individual-4's description, a Westchester County Police Officer ("Officer-1") pulled over the dark-colored Camaro with PATTERSON inside. PATTERSON then fled on foot. He was ultimately apprehended in a wooded area and arrested. Officer-1 conducted an inventory search of the dark-colored Camaro. Inside the glove compartment, Officer-1 found a black Makarov pistol with serial number BE272863, which contained a magazine with seven rounds of ammunition.

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3. Based on my review of a report by an agent of the Bureau of Alcohol, Tobacco, Firearms & Explosives who is familiar with the manufacturing of firearms, I know that the black Makarov pistol with serial number BE272863 was manufactured outside the State of New York.

4. I have reviewed criminal history records pertaining to JUSTIN PATTERSON, the defendant, which show that PATTERSON was convicted on or about August 23, 2006, in Westchester County Court, of Assault in the Second Degree with Intent to Cause Physical Injury with a Deadly Weapon or Dangerous Instrument, in violation of New York Penal Law § 120.05, a felony, which is punishable by imprisonment of more than one year.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of JUSTIN PATTERSON, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

  
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JOSEPH MCGANN  
Task Force Officer  
Federal Bureau of Investigation

Sworn to before me this  
6<sup>th</sup> day of March, 2019

  
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THE HONORABLE LISA MARGARET SMITH  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK